

#### **City Council**

Bob Wasserman, Mayor Anu Natarajan, Vice Mayor Bob Wieckowski Bill Harrison Suzanne Lee Chan

#### **City Staff**

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

Dawn G. Abrahamson, City Clerk
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Daren Fields, Economic Dev. Director
Mary Kaye Fisher, Interim Human Resources Dir.
Annabell Holland, Parks & Recreation Dir.
Norm Hughes, City Engineer
Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Elisa Tierney, Redevelopment Director

## City Council Agenda and Report [Redevelopment Agency of Fremont]

Work Session 5:00 p.m. (Please note time change)

Regular Meeting 7:00 p.m.

#### **General Order of Business**

- 1. Preliminary
  - Call to Order-5:00 p.m.
  - Salute to the Flag
  - Roll Call
- 2. Work Session Items
- 3. Consent Calendar
- 4. Ceremonial Items
- 5. Public Communications
- 6. Scheduled Items
- 7. Report from City Attorney
- 8. Other Business
- 9. Council Communications
- 10. Adjournment

#### Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

#### **Consent Calendar**

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

Agenda and Report • Fremont City Council Meeting • November 17, 2009



#### **Addressing the Council**

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

#### **Oral Communications**

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

The City Council Agendas may be accessed by computer at the following Worldwide Web Address: www.fremont.gov

#### **Information**

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

#### **Availability of Public Records**

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk

City of Fremont

3300 Capitol Avenue, Bldg. A

Fremont, California 94538

Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

## AGENDA FREMONT CITY COUNCIL WORK SESSION NOVEMBER 17, 2009 JCH CHAMPERS 3300 CARLOL AVE. BUILDI

## COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A 5:00 P.M.

(Please note time change.)

#### 1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

#### 2. WORK SESSION ITEMS

Times Are Approximate 5:00 - 7:00 p.m.

#### 2.1 FISCAL YEAR 2009/10 FIRST QUARTER BUDGET UPDATE

Contact Person:

Name: Catherine Chevalier Harriet Commons

Title: Budget Manager Director
Dept.: Finance Finance

Phone: 510-494-4362 510-284-4010

E-Mail: cchevalier@fremont.gov hcommons@fremont.gov

Public Comment

#### 2.2 CENTERVILLE FRAMEWORK PLAN

Contact Person:

Name: Josh Huber Elisa Tierney

Title: Redevelopment Project Manager Redevelopment Agency Director
Dept.: Office of Housing & Redevelopment

Redevelopment

Phone: 510-494-4513 510-494-4501

E-Mail: jhuber@fremont.gov etierney@fremont.gov

Public Comment

# AGENDA FREMONT CITY COUNCIL REGULAR MEETING NOVEMBER 17, 2009 COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A 7:00 P.M.

#### 3. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 3.1 Motion to Waive Further Reading of Proposed Ordinances (This permits reading the title only in lieu of reciting the entire text.)
- 3.2 Approval of Minutes for the Regular and Special Meetings of November 3, 2009
- 3.3 BAY STREET STREETSCAPE PROJECT CONTRACT AWARD
  Approval of Plans and Specifications and Award of Contract in the Amount of
  \$2,362,089.22 to the Lowest Responsible Bidder for the Bay Street Streetscape
  Project Between Fremont Boulevard and Chapel Way, City Project No. 8509B (PWC)

#### Contact Person:

Name: Jeanne Suyeishi Norm Hughes Title: Associate Civil Engineer City Engineer

Dept.: Community Development Community Development

Phone: 510-494-4728 510-494-4748

E-Mail: jsuyeishi@fremont.gov nhughes@fremont.gov

#### RECOMMENDATION:

- 1. Approve the Plans and Specifications for the Bay Street Streetscape Project between Fremont Boulevard and Chapel Way, City Project No. 8509B (PWC).
- 2. Accept the bid and award the construction contract for Bay Street Streetscape between Fremont Boulevard and Chapel Way, 8509B (PWC) to the lowest responsible bidder, Bay Cities Paving & Grading Inc., in the amount of \$2,362,089.22 and authorize the City Manager or his designee to execute the contract.
- 3. Approve the transfer of appropriation of \$11,678.07 from fund 502 (Outside Source) PWC8628 (Davis Street Traffic Calming) to 502PWC8509 Bay Street Streetscape project.

3.4 FISCAL YEAR 2010/11 BICYCLE TRANSPORTATION ACCOUNT FUNDS Resolution Authorizing Fiscal Year (FY) 2010/11 Bicycle Transportation Account (BTA) Grant Application; Approve 10% Local Match Contribution and Acceptance of the BTA Funds for the Bicycle Master Plan Update and Bicycle Lockers Project

#### Contact Person:

Name: Rene Dalton Kunle Odumade

Title: Associate Transportation Engineer Transportation Engineer Dept.: Transportation & Operations Transportation & Operations

Phone: 510-494-4535 510-494-4746

E-Mail: rdalton@fremont.gov kodumade@fremont.gov

#### RECOMMENDATION:

- Adopt a resolution authorizing the City Manager, or his designee, to (a) apply for Bicycle Transportation Account funds in the amounts of \$70,000 for the City's Bicycle Master Plan Update project and \$75,000 for the Bicycle Lockers Project for FY 2010/11; (b) accept any awarded grant funds for the Project and execute any necessary implementing documents; and (c) appropriate 10% local match to the projects.
- 2. Appropriate any BTA grant funds received for the Bicycle Master Plan Update to 525PWC8722, and appropriate the local match from 509PWC8541, Measure B Bicycle and Pedestrian Program funds to 509PWC8722, Bicycle Master Plan *Update.*
- 3. Appropriate any BTA grant funds received for the Bicycle Lockers Project to 525PWC8723, and appropriate the local match amount from 509PWC8541, Measure B Bicycle and Pedestrian Program funds to 509PWC8723, Bicycle Lockers Project.

#### 3.5 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) GRANT

Appropriate the Fiscal Year 2009/2010 TFCA Grant Fund of \$232,000 to PWC 8721 for the Signal Retiming on Fremont Blvd., Washington Blvd., Grimmer Blvd., Blacow Rd., and Warm Springs Blvd. Project

#### Contact Person:

Allen E. Chen Name: David Huynh

Title: Associate Transportation Engineer Senior Transportation Engineer Transportations & Operations Transportations & Operations Dept.:

Phone: 510-494-4749 510-494-4484

*E-Mail:* aechen@fremont.gov dhuynh@fremont.gov

RECOMMENDATION: Authorize appropriation of \$232,000 from TCFA funds awarded to the City to 523PWC8721.

## 3.6 AWARD CONSTRUCTION CONTRACT FOR THE CITYWIDE PLAYGROUND EQUIPMENT REPLACEMENT PROJECT (PWC 8670)

Approve Plans and Specifications and Award a Construction Contract in the Amount of \$1,389,921.06 to the Lowest Responsible Bidder for the Citywide Playground Equipment Replacement Project at Seven (7) Sites Across the City, City Project No. PWC 8670

#### Contact Persons:

Name: Andrew Mayes Roger Ravenstad

Title: Landscape Architect II Senior Landscape Architect
Dept.: Community Development Community Development

Phone: 510-494-4741 510-494-4723

E-Mail: amayes@fremont.gov rravenstad@fremont.gov

#### RECOMMENDATION:

- 1. Approve the Plans and Specifications for the Citywide Playground Equipment Replacement project, City Project No. 8670 (PWC)
- 2. Award the contract for the construction of the Citywide Playground Equipment Replacement project to M.A.K. Associates, Inc., DBA Playgrounds Unlimited, for the base bid amount of \$1,071,245.93, plus Alternates #1 and #3, all totaling \$318,675.13, for a total contract amount of \$1,389,921.06, and authorize the City Manager or his designee to execute the contract.
- 3.7 Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Section 7-1721.D105 Regarding Application of Standards for Aerial Fire Apparatus Access Roads

RECOMMENDATION: Adopt ordinance.

#### 4. **CEREMONIAL ITEMS**

4.1 Resolution: Honoring Police Detective Beth Howell for Twenty Years of Service

4.2 Resolution: Honoring Police Detective Timothy Hunt for Twenty Five Years of

Service

#### 4.3 SELECTION OF VICE MAYOR

Selection of Vice Mayor

#### Contact Person:

Name: Dawn G. Abrahamson Melissa Stevenson Dile Title: City Clerk Deputy City Manager Dept.: City Clerk's Office City Manager's Office

Phone: 510-284-4063 510-284-4005

E-Mail: dabrahamson@fremont.gov mdile@fremont.gov

RECOMMENDATION: Appoint Councilmember Bob Wieckowski as the Vice Mayor.

#### 5. PUBLIC COMMUNICATIONS

5.1 Oral and Written Communications

REDEVELOPMENT AGENCY - None.

PUBLIC FINANCING AUTHORITY - None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

**6. SCHEDULED ITEMS** – None.

#### 7. REPORT FROM CITY ATTORNEY

7.1 Report Out from Closed Session of Any Final Action

#### 8. OTHER BUSINESS

8.1 SOLID WASTE COLLECTION RATES, TRANSFER STATION SERVICE FEES AND LANDFILL DISPOSAL FEES FOR 2010 & 2011

Adopt Resolutions Setting the Integrated Waste Management Collection Rates, Transfer Station Service Fees and Landfill Disposal Fees for January 2010 through December 2011

#### Contact Person:

Name: Ken Pianin Kathy Cote

Title: Solid Waste Administrator Environmental Services Manager
Dept.: Transportation and Operations Transportation and Operations

Phone: 510-494-4582 510-494-4583 E-Mail: kpianin@fremont.gov kcote@fremont.gov

#### **RECOMMENDATIONS:**

1. Adopt a resolution setting disposal fees at the Tri-Cities Recycling and Disposal Facility Landfill effective January 1, 2010, as shown in enclosure A of this report.

- 2. Adopt a resolution setting disposal fees at Altamont Landfill effective January 1, 2010, as shown in enclosure B of this report.
- 3. Adopt a resolution setting service fees at the Fremont Recycling and Transfer Station effective January 1, 2010, as shown in enclosure C of this report.
- 4. Adopt a resolution setting Curbside Recycling Processing payment and Yardwaste Transfer fees at the Fremont Recycling and Transfer Station effective January 1, 2010, as shown in enclosure D of this report.
- 5. Adopt a resolution setting Solid Waste Collection rates effective January 1, 2010, as shown in enclosure E of this report.

#### 9. COUNCIL COMMUNICATIONS

- 9.1 Council Referrals None.
- 9.2 Oral Reports on Meetings and Events

#### 10. ADJOURNMENT

REPORT SECTION
FREMONT CITY COUNCIL
WORK SESSION
NOVEMBER 17, 2009
5:00 P.M.

#### 2.1 FISCAL YEAR 2009/10 FIRST QUARTER BUDGET UPDATE

**Contact Person:** 

Name: Catherine Chevalier Harriet Commons

Title: Budget Manager Director
Dept.: Finance Finance

Phone: 510-494-4362 510-284-4010

E-Mail: cchevalier@fremont.gov hcommons@fremont.gov

**PURPOSE OF THE WORK SESSION:** The purpose of the first quarter budget update is to report to the City Council year-end results for Fiscal Year 2008/09 and how those results affect the Fiscal Year 2009/10 budget and planning for the future.

**REQUESTED OUTCOME OF THE WORK SESSION:** Provide information to the City Council.

**ENCLOSURE:** None

#### 2.2 CENTERVILLE FRAMEWORK PLAN

**Contact Person:** 

Name: Josh Huber Elisa Tierney

Title: Redevelopment Project Manager Redevelopment Agency Director
Dept.: Office of Housing & Redevelopment
Office of Housing & Redevelopment

Phone: 510-494-4513 510-494-4501

E-Mail: jhuber@fremont.gov etierney@fremont.gov

#### PURPOSE OF THE WORK SESSION:

At the City Council's request, staff with Field Paoli staff (consultants) have been considering tools the City can use to enhance the cohesiveness and vitality of the Centerville business district. Particular areas of analysis include pedestrian amenities and circulation, public and shared parking, the potential reconfiguration of Fremont Boulevard (to include automotive, bicycle and pedestrian users), and urban design elements. Staff is proposing that these subjects be addressed in a Centerville Framework Plan, which would guide but not hinder current and future development opportunities in and around Fremont Boulevard from Thornton Avenue to Central Avenue. The purpose of tonight's work session is to:

- 1. Provide a progress report on the development of the Framework Plan; and
- 2. Receive feedback from the City Council the Framework Plan, including feedback on the alternatives proposed for reconfiguring Fremont Boulevard.

#### **POLICY ISSUES/ANALYSIS:**

As part of the City's preparation of the 2030 General Plan, the City Council has been considering policies which would enable Fremont Boulevard to serve as a future "transit spine" while enhancing pedestrian-oriented activity and supporting mixed-use transit oriented development at strategic segments of the Boulevard. One of those segments could be the historic Centerville business district. In addition, consideration of public projects such as the Centerville Unified Site and the Center Theater has prompted questions about parking opportunities in the district and opportunities to ensure that new projects in the district, whether public or private, complement the historic character of the district.

Fremont Boulevard is a critical component of the analysis as reconfiguring the Boulevard will influence future development, public parking areas, and circulation patterns. The Framework study continues the work undertaken as part of the Envision Fremont Boulevard Study conducted last year. At that time, Council discussed alternatives for the possible reconfiguration of Fremont Boulevard and requested additional analysis on the potential impacts two alternatives would have on the alternative routes around Centerville. In response to City Council direction, Frank Fuller and Dennis Dornan of Field Paoli will present three alternative configurations (the two alternatives considered by the Council as well as a third alternative added by staff) and provide a preliminary assessment of the impact of diverting traffic from Fremont Boulevard to other traffic corridors or residential neighborhoods around Centerville's commercial core. Beyond an examination of modifications to the configuration of Fremont Boulevard, the Framework Plan considers three categories of potential improvements to the district, which will be presented to the Council for feedback.

New Development Opportunities: The first area of focus is on current and future development opportunity sites in downtown Centerville. Encouraging development at these opportunity sites can benefit both the property owners and the larger goal of revitalization of the Centerville District. The Framework Plan will provide a comprehensive understanding of how individual projects could be compatible with each other (e.g., pedestrian connections from one area to another, whether parking can be shared, etc.), with the City's long term goals for the district, and with the City of Fremont's 2010 General Plan.

Improvements to Circulation, Public Rights of Way, and City-owned Property: As previously discussed, the Framework Plan will consider alternative lane configurations along the downtown Centerville stretch of Fremont Boulevard. Traffic calming measures such as reducing the number of lanes, narrowing lanes, adding bulb-outs and creating parallel parking could help improve pedestrian safety. Increasing sidewalk widths and allowing pedestrians to more easily cross Fremont Boulevard could also help create a more commercial and retail-friendly environment. In addition to evaluating circulation improvements to Fremont Boulevard, the Framework Plan will also suggest streetscape and landscaping enhancements. Equally important is the assessment of existing and future parking demands in the district. The Framework Plan will identify possible future locations for shared parking and evaluate the need for structured parking to accommodate anticipated development.

<u>Urban Design Standards</u>: The third component of the Framework Plan will address urban design standards and propose general design guidelines for new development in the district. These standards and guidelines will continue the focus on Centerville's historic identity and aesthetic character established in the Centerville Specific Plan by proposing the kinds of architectural design and detailing that would encourage an attractive, walkable, downtown area. Staff recommends that these guidelines be flexible so as to guide but not unduly restrict current and future development opportunities in Centerville.

#### REQUESTED OUTCOME OF THE WORK SESSION:

Tonight's presentation will be the first of two study sessions. Tonight, staff and consultants will provide the background analysis and present various alternatives to be considered for Fremont Boulevard reconfiguration. Staff is requesting that the Council provide input on the alternatives, so that staff can return in the spring with the completed analysis and present proposed conceptual urban design standards and guidelines for the Centerville commercial core.

**ENCLOSURE:** None



#### \*3.3 BAY STREET STREETSCAPE PROJECT CONTRACT AWARD

Approval of Plans and Specifications and Award of Contract in the Amount of \$2,362,089.22 to the Lowest Responsible Bidder for the Bay Street Streetscape Project Between Fremont Boulevard and Chapel Way, City Project No. 8509B (PWC)

#### **Contact Person:**

Name: Jeanne Suyeishi Norm Hughes Title: Associate Civil Engineer City Engineer

Dept.: Community Development Community Development

Phone: 510-494-4728 510-494-4748

E-Mail: jsuyeishi@fremont.gov nhughes@fremont.gov

**Executive Summary:** The purpose of this report is to recommend that City Council approve the plans and specifications for the Bay Street Streetscape project between Fremont Boulevard and Chapel Way, City Project No. 8509B (PWC), accept the bid and award the contract for construction to Bay Cities Paving & Grading, Inc., in the amount of \$2,362,089.22. These plans and specifications are consistent with the Council-approved Bay Street Streetscape Schematic Design. Staff also recommends the transfer of appropriation of \$11,678.07 from the Davis Street Traffic Calming Project, PWC8628, to PWC8509.

**BACKGROUND:** In January 2003, the Redevelopment Agency was awarded a Transportation for Livable Communities (TLC) grant from the Metropolitan Transportation Commission (MTC) for the Bay Street Streetscape project. The TLC program provides grants for planning and capital projects that integrate walking, transit, and bike riding into the community design and that spur the compact development of housing, downtowns and regional activity centers.

In June 2004, the City Council approved the Bay Street Planned District and associated Bay Street Urban Design Guidelines and a schematic streetscape plan. Implementation required the provision of additional street parking and a public parking lot to reduce on-site parking requirements and allow more intense development on properties fronting Bay Street. The City and Redevelopment Agency developed the streetscape design and implementation strategies over an eighteen-month period with extensive community involvement.

In May 2006, the City Council approved an alternative parking lot location on parcels fronting onto Bay Street at the terminus of Papazian Way (4112 and 4120 Bay Street) as part of an amendment to the Bay Street Planned District. In June 2007, City Council awarded the construction contract for the Bay Street Parking Lot. While its primary purpose is to meet the parking needs of Bay Street businesses and local residents, the parking lot also offers an opportunity for alternate community uses, such as movie nights and holiday events. The parking lot construction was the first phase in the implementation of the Bay Street Streetscape Schematic Design adopted in the Planned District.

The parking lot was constructed with a porous asphalt parking surface. Porous asphalt allows rainfall to drain directly through the pavement, rather than running off along the surface. Beneath the porous asphalt pavement is a storage bed containing uniformly graded, clean stone aggregate, designed to receive all rainfall from the pavement. Stormwater drains through the asphalt, is held in the stone bed, and infiltrates slowly into the underlying soil. As a result, the parking lot design demonstrates a non-

mechanical, environmentally beneficial means to address storm water run off and National Pollution Discharge Elimination System (NPDES) requirements.

In May 2009, the City Council awarded the construction contract for the Bay Street Utility Underground District No. 36 to underground the overhead utilities in advance of the streetscape work. The underground construction is the second phase in the implementation of the Bay Street Streetscape Schematic Design adopted in the Planned District. The underground construction is almost complete. The final phase of the Bay Street Streetscape Schematic Design is the construction of the streetscape project.

**Project Description** – The proposed project includes improvements on Bay Street between Fremont Boulevard and Chapel Way, along Trimboli Way between Irvington Avenue and Bay Street, and along Papazian Way between Bay Street and Fremont Boulevard in the Irvington Planning Area. Specifically, the project includes street overlay and reconstruction, construction of wider sidewalks, curb ramps, curb and gutter installation, landscaping, pedestrian and decorative lighting, furniture installation, and onstreet parking reconfiguration. The street reconstruction will require excavation on portions of Bay Street for a depth of 12 inches, and 10 inches on Trimboli Way. Papazian Way will include a two inch minimum overlay. New storm drain facilities, including inlets and underground storm drainage pipes, will be installed on Bay Street. All existing driveway approaches will be replaced, with the exception of the south side of Bay Street which is consistent with the Bay Street Planned District. New street trees will be installed in tree wells and existing street trees that are in conflict with the proposed plan will be removed. All new lighting and furniture installation will be consistent with the existing lighting and furnishings in the Bay Street Parking Lot. The proposed pedestrian lighting is a 12-foot tall dual-head street light and the proposed decorative lighting is a 20-foot tall hooded street light.

BAY STREET DETAIL: The project area on Bay Street is approximately 1250 linear feet. On Bay Street, the sidewalk width will be 8 feet between Chapel Way and Papazian Way, widen to 10 feet on the north side and 14 feet on the south side between Papazian Way and the traffic circle, and vary from 9 to 10 feet between the traffic circle and Fremont Boulevard. The intersections of Bay Street and Chapel Way and Bay Street and Trimboli Way will have bulb-outs to provide a physical constraint for through-traffic. Bay Street and Papazian Way will have a speed table – a raised colored concrete intersection with stamped colored concrete crosswalks. The traffic circle will be located in front of 40967 Fremont Boulevard and the Monument Center parking lot. The traffic circle will transition Bay Street to a one-way street east of the circle.

Streetscape improvements on Bay Street include 43 new jacaranda street trees. A coast live oak will be planted in the center of the traffic circle and the remaining trees will be planted in tree wells. Precast seatwalls with pilasters and pilaster street name signs will be constructed at the intersections and at the traffic circle. Trash receptacles, bike racks and steel benches will also be installed along Bay Street. Twenty-three new pedestrian lights and nine new 20-foot decorative street lights with banner brackets will be installed as part of this project.

TRIMBOLI WAY DETAIL: The project area on Trimboli Way is approximately 700 linear feet. The sidewalk width will remain seven feet on both sides of the street. Streetscape improvements on Trimboli Way include 26 new crepe myrtle street trees planted in tree wells. Nine new 20-foot decorative street lights will be installed.

PAPAZIAN WAY DETAIL: The project area on Papazian Way is approximately 400 linear feet. The sidewalk width will remain ten feet on both sides of the street. Streetscape improvements on Papazian Way include eight new jacaranda street trees planted in tree wells. Six new 20-foot decorative street lights will be installed.

DAVIS STREET TRAFFIC CALMING PROJECT: In 2007, the Davis Street Traffic Calming project was constructed. This project included a series of different traffic calming measures to slow traffic on Davis Street, such as bulb outs, textured crosswalks and speed tables. It was partially funded by developer funds specifically identified for traffic calming in the Irvington area. These same elements have also been designed into the Bay Street Streetscape project. The Davis Street project is complete, with funds remaining in the project. Staff recommends these funds in the amount of \$11,678.07 be transferred to the Bay Street project.

#### **DISCUSSION/ANALYSIS:**

**Bid Results:** Bids were received on November 4, 2009 for the Bay Street Streetscape project between Fremont Boulevard and Chapel Way, City Project No. 8509B (PWC), as follows:

BIDDER	TOTAL BID	RANK
Bay Cities Paving & Grading, Inc.	\$2,362,089.22	1*
Gallagher & Burk, Inc.	\$2,478,418.00	2
McGuire & Hester	\$2,513,000.00	3
Robert A. Bothman, Inc.	\$2,619,047.00	4*
Wattis Construction Company, Inc.	\$2,626,319.05	5
Interstate Paving & Grading, Inc.	\$2,656.361.20	6
Granite Rock Company DBA Pavex Construction Company	\$2,690,922.50	7
O'Grady Paving, Inc.	\$2,837,990.20	8
Engineer's Estimate	\$3,000,000.00	

\* Mathematically corrected

The low monetary bidder, Bay Cities Paving & Grading Inc., submitted a responsive bid, is experienced in this type of project and is a responsible contractor.

**FISCAL IMPACT:** The estimated annual cost of maintenance for labor and materials as a result of this project is \$20,000. The Redevelopment Agency will offset this increase in the annual cost of maintenance for this project using RDA funding for graffiti maintenance in redevelopment project areas.

**Project Costs and Funding:** The following is a summary of actual and estimated project costs:

Environmental Consultants & Staff	\$182,200
Right of Way Acquisition	\$2,137,000
Right of Way Staff Time	\$204,000
4110 & 4120 Bay Street Demolition – Construction & Staff, 8509D(PWC)	\$57,300
Bay Street Parking Lot – Construction & Staff, 8509A(PWC)	\$654,500
Bay Street Monument Sign – Construction & Staff, 8509C(PWC)	\$115,000
Streetscape Engineering, Design & Administration, 8509B(PWC)	\$700,000
Streetscape Construction Contract (Low Bid)	\$2,362,089
(Includes \$266,000 in Construction Contingency)	
Construction Inspection, Surveying and Administration (estimate)	\$450,000
Project Contingencies	\$300,000
Total Estimated Cost:	<u>\$7,162,089</u>

Funding programmed for the project is as follows:

<u>Source</u>	<u>Description</u>	
Fund 107	TDA Funds	\$68,000
Fund 123	Urban Runoff Clean Water Funds	\$22,950*
Fund 502	Outside Source – from Davis Street Traffic Calming, PWC8628	\$11,678
Fund 504	ACTIA Measure B Funds	\$138,000
Fund 522	TLC Federal Funds	\$1,570,000
Fund 525	State Work Force Housing Grant	\$284,384*
Fund 951	Redevelopment Funds	\$5,758,259
	Total Estimated Available Funding	\$7,853,271
	Total Estimated Remaining Funding	\$691,182

<sup>\*</sup>These funds were used for the Bay Street Parking Lot design and construction

Based on the current project estimate, there are sufficient funds remaining in this project.

**ENVIRONMENTAL REVIEW:** A Mitigated Negative Declaration (PLN2004-00277) for this project was adopted by City Council on May 23, 2006, in conformance with the requirements of the California Environmental Quality Act (CEQA), with a finding that there is no substantial evidence that the project, as mitigated, will have an adverse effect on the environment. No changes to the project or its circumstances have occurred and no new information has become available since adoption of the project mitigated negative declaration that would require preparation of additional environmental documentation

**ENCLOSURE:** Landscape Schematic Design

#### **RECOMMENDATION:**

- 1. Approve the Plans and Specifications for the Bay Street Streetscape Project between Fremont Boulevard and Chapel Way, City Project No. 8509B (PWC).
- 2. Accept the bid and award the construction contract for Bay Street Streetscape between Fremont Boulevard and Chapel Way, 8509B (PWC) to the lowest responsible bidder, Bay Cities Paving & Grading Inc., in the amount of \$2,362,089.22 and authorize the City Manager or his designee to execute the contract.
- 3. Approve the transfer of appropriation of \$11,678.07 from fund 502 (Outside Source) PWC8628 (Davis Street Traffic Calming) to 502PWC8509 Bay Street Streetscape project.

\*3.4 FISCAL YEAR 2010/11 BICYCLE TRANSPORTATION ACCOUNT FUNDS
Resolution Authorizing Fiscal Year (FY) 2010/11 Bicycle Transportation Account (BTA)
Grant Application; Approve 10% Local Match Contribution and Acceptance of the BTA
Funds for the Bicycle Master Plan Update and Bicycle Lockers Project

#### **Contact Person:**

Name: Rene Dalton Kunle Odumade

Title: Associate Transportation Engineer Transportation Engineer
Dept.: Transportation & Operations Transportation & Operations

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**Executive Summary:** The purpose of this report is to request the City Council adopt a resolution to apply for Bicycle Transportation Account (BTA) grant funds. City staff is recommending two projects for the City's 2010/11 BTA grant application. The projects are: 1) the Fremont Bicycle Master Plan Update and 2) the Bicycle Lockers Project. To complete the City's application, staff recommends the Council adopt a resolution authorizing the City Manager, or designee, to (a) apply for Bicycle Transportation Account funds in the amounts of \$70,000 for the City's Bicycle Master Plan Update Project and \$75,000 for the Bicycle Lockers Project for FY 2010/11; (b) accept any awarded grant funds for the projects and execute any necessary implementing documents; and (c) appropriate the 10% local match to the projects from the City's Measure B, Bicycle and Pedestrian Program funds, 509PWC8541.

**BACKGROUND:** The Bicycle Transportation Account (BTA) provides State funds for city and county projects to improve safety and convenience for bicycle commuters. This is a competitive application process open to local and county agencies in California. To be eligible for BTA funds, the projects must be on the local agency's bicycle master plan, the application must include a resolution adopted by the local agency City Council committing to the minimum required 10% local match, and a CEQA Notice of Exemption or Notice of Determination must be completed.

On October 28, 2009, the City's Bicycle and Pedestrian Technical Advisory Committee (BPTAC) approved staff's recommendation of the Fremont Bicycle Master Plan Update and Bicycle Lockers Project for the City's 2010/11 BTA grant application. The projects were selected from the City's Bicycle Master Plan. The BPTAC consists of five bicycle and pedestrian advocates residing or working in Fremont and is advisory to staff. A City Council resolution is needed to complete the application.

**DISCUSSION/ANALYSIS:** A goal of the City's Bicycle Master Plan is to update the Plan every five years. This goal conforms to the State's Bicycle Transportation Plan and the County and Regional Bicycle Plan requirements. The Bicycle Master Plan Update project involves updating the existing and proposed bicycle network, and updating the City's Bicycle Policy, Program and Projects list. The City's Plan would incorporate the Alameda County and Metropolitan Transportation Commission (MTC) Regional Plan and projects in order for the City to qualify for more statewide grant programs. The Bicycle Master Plan Update would also include development of bike parking guidelines for new development, update the best practices guidelines in the current plan, and increase the focus on transit connections. The proposed schedule for the Plan update is to begin the work in early 2010. Staff will bring the proposed scope of work to BPTAC in Spring 2010. The consultant's work is scheduled to

begin in September 2010 and all work should be completed by October 2011, allowing sufficient time for the public review process. The estimated cost to update the plan is \$78,000.

The second proposed BTA project for the City's grant submittal is the Bicycle Lockers Project. The project conforms to the City's Bicycle Master Plan goals to provide secure and safe bicycle parking facilities. The project involves furnishing and installing one quad bicycle locker unit at each of four City parking lot facilities. Each quad locker will provide four bicycle parking spaces, for a total of 16 bicycle parking spaces at the four locations. The parking lot facilities are located at the following locations:

- 1. Irvington District Public Parking Lot
- 2. Mission San Jose Public Parking Lot
- 3. City Hall Parking Lot
- 4. City Development Center Parking Lot

Providing secure and safe bicycle parking facilities at City destination centers is necessary in order to encourage and promote bicycle travel. The estimated cost of this project is \$84,000. The BPTAC voted unanimously to approve the two proposed projects.

To apply for the funds, BTA grant fund rules require the Council to adopt a resolution authorizing the appropriation of a 10% local match to the projects should the City be awarded grant funds for the project(s).

**FISCAL IMPACT:** The estimated cost for the City Bicycle Master Plan Update is \$78,000. Staff recommends the appropriation of the City's 10% minimum local match of \$8,000 for the project from the City's Measure B, Bicycle and Pedestrian Program funds, 509PWC8541. For the proposed Bicycle Lockers Project, furnishing and installing the bicycle lockers is estimated to cost \$84,000. Staff recommends the appropriation of the City's local match of \$9,000 also from the City's Measure B, Bicycle and Pedestrian Program funds, 509PWC8541. There is sufficient funding in this account for this purpose.

**ENVIRONMENTAL REVIEW:** The action being recommended in this report is exempt from the California Environmental Quality Act (CEQA) because it is not a project pursuant to CEQA Guidelines section 15378. The proposed action seeks a funding mechanism. Submitting an application to secure grant funds for a potential project does not require CEQA review. Approval of this funding mechanism has no possible significant physical impact on the environment under CEQA Guidelines Section 15061(b)(3) and Sections 15378 (a) and (b). Additionally, if the grants are received and the project proceed appropriate environmental review will occur in conjunction with the development and approval of the Fremont Bicycle Master Plan Update and design and award of the Bicycle Lockers project.

**ENCLOSURE:** <u>Draft Resolution</u>.

#### **RECOMMENDATION:**

1. Adopt a resolution authorizing the City Manager, or his designee, to (a) apply for Bicycle Transportation Account funds in the amounts of \$70,000 for the City's Bicycle Master Plan Update project and \$75,000 for the Bicycle Lockers Project for FY 2010/11; (b) accept any

- awarded grant funds for the Project and execute any necessary implementing documents; and (c) appropriate 10% local match to the projects.
- 2. Appropriate any BTA grant funds received for the Bicycle Master Plan Update to 525PWC8722, and appropriate the local match from 509PWC8541, Measure B Bicycle and Pedestrian Program funds to 509PWC8722, Bicycle Master Plan Update.
- 3. Appropriate any BTA grant funds received for the Bicycle Lockers Project to 525PWC8723, and appropriate the local match amount from 509PWC8541, Measure B Bicycle and Pedestrian Program funds to 509PWC8723, Bicycle Lockers Project.

#### \*3.5 TRANSPORTATION FUND FOR CLEAN AIR (TFCA) GRANT

Appropriate the Fiscal Year 2009/2010 TFCA Grant Fund of \$232,000 to PWC 8721 for the Signal Retiming on Fremont Blvd., Washington Blvd., Grimmer Blvd., Blacow Rd., and Warm Springs Blvd. Project

#### **Contact Person:**

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Executive Summary: The Alameda County Congestion Management Agency (ACCMA), as TFCA program manager in Alameda County, annually programs a portion of the TFCA funds collected in Alameda County. The City of Fremont has applied for, and the ACCMA has programmed, \$232,000 of the TFCA funds available to the City of Fremont for an arterial management project. The arterial management project will upgrade the traffic signal system's communications infrastructure and implement new signal coordination plans to better manage traffic flow along the five project corridors: Fremont Boulevard, Washington Boulevard, Grimmer Boulevard, Blacow Road, and Warm Springs Boulevard Staff recommends that the City Council appropriate \$232,000, the full amount of the grant, to PWC 8721 (Signal Retiming on Fremont Boulevard, Washington Boulevard, Grimmer Boulevard, Blacow Road, and Warm Springs Boulevard).

BACKGROUND: The Alameda County Congestion Management Agency (ACCMA) annually receives Transportation Fund for Clean Air (TCFA) funds from the Bay Area Air Quality Management District (Air District). The ACCMA receives 40% of the TFCA funds collected in Alameda County and allocates them by formula to eligible recipients in the County to use on projects approved by ACCMA. The remaining 60% is allocated by the Air District on a competitive basis. The ACCMA's share is then programmed to various eligible projects submitted by the project sponsors within Alameda County. TFCA funds must be used for projects that improve air quality, such as arterial management, bicycle facility improvements, transit information, clean air vehicles, and rideshare programs. City staff annually participates in this process by submitting a funding application to the ACCMA for a project that meets the Air District's requirements.

DISCUSSION/ANALYSIS: The City's allocation for the 2009/2010 TFCA Program was approximately \$170,000 based on its population share. Using this allocation, and a portion of the remaining balance from a prior year allocation with ACCMA, the City submitted an application for \$232,000 to implement an arterial management project. The goal of this project is to improve arterial operations by providing efficient, consistent and reliable operation of the traffic signals along the five project corridors: Fremont Boulevard (Mission View to Delaware), Washington Boulevard (Fremont to Osgood/Driscoll), Grimmer Boulevard (Fremont to Yellowstone/Doane), Blacow Road (Hilo to Fremont), and Warm Springs Boulevard (Warren to Kato/Scott Creek). The project goal will be achieved by optimization of signal timing plans to reduce traffic stops and delays and improve travel time along each corridor. This project will also upgrade existing traffic signal controllers and communications equipment on the project corridors so that communication back to the City's existing

traffic signal system can be migrated from old copper interconnect to the new fiber optic cable infrastructure. The copper interconnect infrastructure is deteriorating and does not provide consistent and reliable communications to the traffic signals. Migration to the fiber optic infrastructure will provide a consistent and reliable connection that will allow the traffic signals to maintain coordination.

The City has been awarded the \$232,000 by the ACCMA to implement this project and a funding agreement has been executed by the City Manager per the authority previously granted by the City Council. Staff recommends the City Council appropriate the grant amount of \$232,000 to PWC8721 so that staff can initiate work on this project.

**FISCAL IMPACT:** Acceptance and appropriation of the TFCA grant funds will have a positive fiscal impact as it will provide funds to complete capital projects that may otherwise not be funded.

**ENVIRONMENTAL REVIEW:** This project is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15301.

**ENCLOSURE:** None

**RECOMMENDATION:** Authorize appropriation of \$232,000 from TCFA funds awarded to the City to 523PWC8721.

## \*3.6 AWARD CONSTRUCTION CONTRACT FOR THE CITYWIDE PLAYGROUND EQUIPMENT REPLACEMENT PROJECT (PWC 8670)

Approve Plans and Specifications and Award a Construction Contract in the Amount of \$1,389,921.06 to the Lowest Responsible Bidder for the Citywide Playground Equipment Replacement Project at Seven (7) Sites Across the City, City Project No. PWC 8670

#### **Contact Persons:**

Name: Andrew Mayes Roger Ravenstad

Title: Landscape Architect II Senior Landscape Architect Dept.: Community Development Community Development

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**Executive Summary:** This report recommends that the City Council approve the plans and specifications for the Citywide Playground Equipment Replacement project, accept the bid, and award a construction contract to M.A.K. Associates, Inc., DBA Playgrounds Unlimited for the base bid amount of \$1,071,245.93, plus Alternates #1 and #3, all totaling \$318,675.13 for a grand total contract amount of \$1,389,921.06.

#### **BACKGROUND:**

**Project Description**: The proposed project replaces 15-20 year old, play equipment that can no longer be refurbished at the following eight (8) City playgrounds: Kennedy Play Area (in Central Park), Irvington Community Park, California Terrace Mini Park, Karl Nordvik Neighborhood Park, Blacow Neighborhood Park, Westridge Neighborhood Park, and Brookvale Neighborhood Park (Alternate #1).

The project improvements will upgrade the existing parks to current Consumer Product Safety Commission (CPSC) and Americans with Disabilities Act (ADA) accessibility requirements, and reduce City maintenance requirements at these sites. The project improvements will include demolition of existing play equipment, concrete curbing and concrete paving, safety surfacing removal, site grading, excavation and drainage, flush concrete curbing and concrete paving installation, landscape and irrigation repair, new play equipment and new synthetic safety surfacing. The base bid includes poured in place synthetic safety surfacing in critical areas with ground rubber loose fill safety surfacing in the remainder of the play area. In addition to the base bid, the City's construction package included three alternatives to further enhance the project, depending on available funding.

**Alternate #1** involves project improvements at Brookvale Neighborhood Park, including demolition of existing play equipment and area, site grading and excavation, site drainage, installation of flush concrete curbing, accessible curb ramp and concrete paving, landscaping and irrigation repair, new play equipment, new synthetic safety surfacing, and installation of benches.

**Alternate #2** involves project improvements at David Jones Neighborhood Park, including demolition of existing play equipment and area, site grading and excavation, site drainage, flush concrete curbing installation, concrete pathway installation, landscaping and irrigation repair, new play equipment, new synthetic safety surfacing and loose fill safety surfacing, and installation of benches.

Due to lack of funding, staff does not recommend awarding Alternate #2. Playground equipment replacement in David Jones Neighborhood Park should be considered for inclusion in the list of projects that utilize East Bay Regional Parks WW Bond Measure funding in the future.

**Alternate** #3 is the addition of poured in place synthetic safety surfacing over the entire play area of the six base bid parks in place of ground rubber loose fill safety surfacing. The base bid only had poured in place synthetic safety surfacing for critical safety areas.

Poured in place synthetic safety surfacing is being used to provide better accessibility to the replacement play structures, to reduce the required park maintenance and reduce the overall fiscal impact on the Park Maintenance division. Additionally, the City applied for and was awarded a California State Tire Derived Product Grant by the California Integrated Waste Management Board in the amount of \$145,884.

#### **DISCUSSION:**

**Bid Results:** The City received eight (8) bids on October 15, 2009, for the construction of the Citywide Playground Equipment Replacement Project, City Project No. 8670 (PWC). The lowest base bid, by M.A.K. Associates, Inc. (DBA Playgrounds Unlimited) was \$1,071,245.93, and was within the project construction budget, approximately 17% below the City estimate.

Due to the low bids, there is sufficient project budget to award two of the three alternate bid items (#1 and #3), thus increasing the total contract award to \$1,389,921.06. All bidders and their respective base bid amounts are shown below:

BIDDER	TOTAL BASE BID	RANK	<u>Alt #1</u>	<u>Alt #2</u>	<u>Alt #3</u>
M.A.K. Associates	\$1,071,245.93	1	\$114,574.38	\$297,956.00	\$204,100.75
D.L. Falk Construction	\$1,089,000.00	2	\$110,422.00	\$295,784.00	\$128,033.00
Guerra Construction Group	\$1,111,886.00	3	\$115,837.88	\$273,727.25	\$165,893.00
Robert A. Bothman, Inc.	\$1,177,795.00	4	\$155,000.00	\$325,000.00	\$195,478.50
Elite Landscaping, Inc.	\$1,223,263.00	5	\$126,901.88	\$311,720.75	\$239,713.95
McGuire and Hester	\$1,261,979.00	6	\$197,799.88	\$483,411.00	\$123,200.00
Suarez & Munoz Const. Inc.	\$1,377,444.00	7	\$139,603.88	\$323,606.00	\$148,785.00
Ashbury Homes Inc.	\$1,383,707.22*	8	\$177,043.20	\$305,529.25	\$279,719.65

<sup>\*</sup> Mathematically corrected

Project Base Bid Estimate \$1,400,000.00

The low bidder was determined by evaluation of base bid only, without consideration of the alternate items, as is stated in the Instruction to Bidders. Since there are additional funds available, staff recommends awarding two (2) alternate items, #1 and #3. The low monetary bidder for the project, M.A.K. Associates DBA Playgrounds Unlimited, is a responsible bidder experienced in this type of work. As explained below a bid protest was submitted claiming that M.A.K.'s bid is not responsive. Staff believes the protest is without merit and recommends award to M.A.K. as the lowest responsible bidder. All of M.A.K. bid documents are in order.

**Bid Protest:** A protest to the proposed award to M.A.K. Associates DBA Playgrounds Unlimited was received from the second lowest bidder, D.L. Falk Construction. The protest and staff's evaluation is described below.

A small portion of the project work involves handling hazardous materials, including soil with background metals and decorative wood pieces. A Hazardous Substances Removal Certificate issued by the Contractor's State Licensing Board is required to perform that work. The project also requires the contractor to perform a small amount of landscaping and irrigation work.

D.L. Falk argues that M.A.K. Associates' bid should be rejected as non-responsive because it contends M.A.K. Associates is not qualified to perform the hazardous materials and landscaping/irrigation work and did not list subcontractors to perform that work. First, D.L. Falk claims that as M.A.K. Associates is not presently certified by the Contractor's State Licensing Board (CSLB) to perform hazardous material removal and, as M.A.K. Associates did not list a subcontractor to perform that work, the bid does not provide for hazardous material removal by a properly certified contractor and is non-responsive. Second, D.L. Falk claims that, as M.A.K. Associates does not hold a C27 landscape contractor's specialty license to perform the landscape and irrigation repair and did not list a subcontractor for that work, the bid does not provide for a properly licensed contractor to perform the landscape and irrigation work and is non-responsive.

D.L. Falk's first contention is without merit. The specifications (section 1.06) do not require the contractor to submit the Hazardous Substances Removal Certificate at the time of bid; rather, it must be submitted prior to the start of the hazardous materials work. In addition, under State law, bidders are only required to list subcontractors who will perform work with a value of more than one-half of one percent of the bidder's bid amount. Although M.A.K. Associates did not list a subcontractor for the hazardous materials work, it was only required to do so if M.A.K. Associates was contracting directly with a hazardous materials subcontractor and the value of the work met the listing value threshold. M.A.K. Associates' bid proposal for the hazardous materials work is \$ 1,638.75, which is less than the one-half of one percent threshold. M.A.K. Associates has indicated that a Hazardous Materials Removal Certificate (required to perform the abatement work) will be provided during the submittal process, per project specifications.

D.L. Falk's second point is also without merit. M.A.K. Associates holds an "A" license - General Engineering Contractor pursuant to Business Professions Code Section 7056. Staff contacted the CSLB and was informed that under the Contractor's Licensing Law, a General Engineering Contractor with a valid Class A license is allowed to perform landscaping work if it is associated with the work in a Class A General Engineering project. The playground replacement work is a Class A Engineering Project. Parks, playgrounds and other recreational works, as well as irrigation, are specifically identified

as work elements within the "A" classification. Accordingly, M.A.K. Associates is properly licensed to perform this work. M.A.K. Associates did not list a subcontractor to perform this work, and consistent with the provisions of Public Contract Code section 4106, has indicated that it intends to perform this work with its own forces.

Staff recommends that Council award the contract to M.A.K. Associates as the lowest responsive and responsible bidder. The firm is experienced in this type of work.

**Maintenance Impact:** Park Maintenance includes these facilities in their regular maintenance schedule. Park Maintenance staff has worked closely with Landscape Architecture staff during design development to reduce site maintenance efforts through the implementation of the following improvements:

- 1) Synthetic safety surfacing covering the entire play area will result in reduced weekly maintenance efforts to keep the loose fill safety surfacing at adequate levels.
- 2) Replacement of play structures and adjacent concrete will bring the sites into compliance with CPSC & ADA requirements and reduce the need for periodic piecemeal upgrades, which are maintenance time intensive.
- 3) Improve and repair drainage to eliminate flooding and vector issues.

#### **Project Budget and Funding:**

1. Total funds appropriated to the project::

501	Capital Improvement Fund	\$1,700,000
525	CIWMB California Tire Derived Product Grant Program	<u>\$145,884</u>
	Total Available Funding	\$1,845,884

- 2. Project costs and expenditures:
  - a. Project Administration, Preliminary Engineering, & Design (spent) \$175,000
  - b. Construction Base Bid and Alternates Recommended by this agenda item

(rounded to the nearest dollar) \$1,389,921

Base Bid \$1,071,245.93 Alternate #1 \$114,574.38 Alternate #3 \$204,100.75

- c. Construction Inspection / Project Management \$208,488

  Total Project Cost: (rounded to the nearest dollar) \$1,773,409
- 3. Estimated remaining funds at completion of projects \$72,475

**Environmental Review:** The proposed projects are within existing parks and are modifications of already existing playground areas. The proposed project is exempt from the California Environmental Quality Act (CEQA) per Guideline 15301 for modification of existing facilities.

**PROJECT SCHEDULE:** Construction is anticipated to begin in January 2010, with completion in May 2010.

#### **ENCLOSURES:**

- D.L. Falk Construction Bid Protest w/ Exhibits A-D
- M.A.K. Associates DBA Playgrounds Unlimited Response
- Contractor's State Licensing Board (CSLB) Letter

#### **RECOMMENDATION:**

- 1. Approve the Plans and Specifications for the Citywide Playground Equipment Replacement project, City Project No. 8670 (PWC)
- 2. Award the contract for the construction of the Citywide Playground Equipment Replacement project to M.A.K. Associates, Inc., DBA Playgrounds Unlimited, for the base bid amount of \$1,071,245.93, plus Alternates #1 and #3, all totaling \$318,675.13, for a total contract amount of \$1,389,921.06, and authorize the City Manager or his designee to execute the contract.

\*3.7 Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Section 7-1721.D105 Regarding Application of Standards for Aerial Fire Apparatus Access Roads

**ENCLOSURE:** Draft Ordinance

**RECOMMENDATION:** Adopt ordinance.

## **4.3** SELECTION OF VICE MAYOR Selection of Vice Mayor

#### **Contact Person:**

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**BACKGROUND:** Chapter 1, Section F (2) of the City Council Handbook of Rules and Procedures (Vice Mayor Selection and Duties) provides: "The Councilmember who received the highest number of votes during the previous general municipal election shall be appointed Vice Mayor for the first year following the next general municipal election (the third year of that Councilmember's term)." As the Councilmember receiving the highest number of votes during the 2002 general municipal election, Bob Wasserman was eligible for appointment as Vice Mayor for 2004-05. However, since Bob Wasserman was elected to the office of Mayor during the 2004 general municipal election, a vacancy was created in the office of Vice Mayor for the 2004-05 term.

Chapter 1, Section F (3) of the City Council Handbook of Rules and Procedures (Vice Mayor Selection and Duties) provides: "If a vacancy is in the office of a Councilmember who has not yet served as Vice Mayor during his or her term of office, then the Councilmember next in the order of selection pursuant to the above section shall have their appointment as Vice Mayor advanced one year, notwithstanding that as the result of such a vacancy or prior or future vacancies, the order of selection will be modified with the effect that a subsequent Vice Mayor will be only in the second or first year of his or her term of office as a Councilmember." Because Councilmember Dominic Dutra had not yet served as the Vice Mayor and was the next in order of selection for that position, he was appointed as Vice Mayor for 2004-05, one year earlier than otherwise anticipated. Councilmember Steve Cho was appointed and served as Vice Mayor for 2005-06, as he received the highest number of votes during the previous general municipal election (2004). Councilmember Bob Wieckowski was appointed and has served as Vice Mayor for 2006-07, as he received the second highest number of votes during the 2004 general municipal election. Councilmember Bill Harrison was appointed and has served as Vice Mayor for 2007-08 as he received the highest number of votes during the 2006 general municipal election. Councilmember Anu Natarajan was appointed and has served as Vice Mayor for 2008-09 as she received the second highest number of votes during the 2006 general municipal election.

The order of selection of Vice Mayor has been modified based on the events described above and, therefore, Councilmember Bob Wieckowski is eligible for appointment as Vice Mayor for 2009 -10 as he received the highest number of votes during the 2008 general municipal election.

#### **ENCLOSURES:**

- Certificate of the Official Canvass of the General Municipal Election, November 2, 2008
- Chapter 1, Section F (2) (3), City Council Handbook of Rules and Procedures

**RECOMMENDATION:** Appoint Councilmember Bob Wieckowski as the Vice Mayor.

7.1	Report Out from Closed Session of Any Final Action

### 8.1 SOLID WASTE COLLECTION RATES, TRANSFER STATION SERVICE FEES AND LANDFILL DISPOSAL FEES FOR 2010 & 2011

Adopt Resolutions Setting the Integrated Waste Management Collection Rates, Transfer Station Service Fees and Landfill Disposal Fees for January 2010 through December 2011

#### **Contact Person:**

Name: Ken Pianin Kathy Cote

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Dept.: Transportation and Operations Transportation and Operations

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Executive Summary: The City has five solid waste agreements, including waste collection, transfer station services, recycling processing and landfill disposal, that are all elements of providing solid waste services to Fremont residents and businesses. Fees for these various solid waste services are calculated biennially in accordance with each contract's terms. While the specific adjustment formula varies by contract, each solid waste agreement includes some of the following elements: a Consumer Price Index (CPI) adjustment, a fuel adjustment based upon the OPIS (Oil Price Information Service) fuel index, recovery of increases in regulatory fees, current disposal costs, and changes in recyclable commodity prices. The various solid waste fees are all components of the solid waste collection rates set biennially by the Council and charged to ratepayers. This report recommends solid waste collection rates for 2010 and 2011 which incorporate the required service fees as well as some discretionary items. A new item in the 2010 and 2011 rates is approximately \$400,000 of disposal costs associated with operating the Fremont Household Hazardous Waste (HHW) drop off. In addition, staff is recommending establishing a maximum weight for each roll-off box and incorporating an excess disposal fee into the roll-off service rates for customers who exceed the maximum weight allowance.

The recommended monthly rate for the average residential customer for 2010 and 2011 would be \$28.16 per month, an increase of \$1.81 per month or 6.9% from the current rates set two years ago. Commercial rates vary by service; the average commercial customer would experience an increase of 7.8% – 12.5% depending upon the type of service. In addition, staff estimates that approximately 17% of roll-off customers would be subject to the excess disposal fee.

BACKGROUND: During the past two rate setting periods, the City was able to draw upon the Integrated Waste Management (IWM) Disposal Differential Reserve to offset solid waste disposal increases and thus reduce the costs passed on to the ratepayers. The IWM Disposal Differential Reserve represents the difference between disposal fees collected through the solid waste rates compared to the actual disposal expenses paid from January 2004 through June 2007. This reserve arose from the delay in transitioning solid waste disposal from the landfill to the higher cost transfer station, resulting in fees being collected from the ratepayers but not immediately used. This reserve was initially used to offset disposal costs starting in July 2007, with the remaining balance used to offset 2008 and 2009 solid waste rates. There is no remaining reserve to apply to the 2010 and 2011 rates and the full cost of disposal must now be incorporated into the recommended rates.

As part of the new solid waste collection rates, staff recommends including the portion of the disposal costs associated with operating Fremont's Household Hazardous Waste (HHW) drop-off facility which opened on July 1, 2008, that are not covered by existing funds. The City currently receives \$350,000 from the Alameda County Waste Management Authority (Authority) for HHW drop-off operations. This funding is Fremont's proportional share of the countywide HHW program funding. The drop-off has been very successful and twice as many residents are using the facility as originally anticipated. Since HHW drop-off costs are a direct function of facility usage, additional funding of approximately \$400,000 per year is needed to continue support of this high level of use.

Staff recommends collecting this funding from the solid waste collection rates in order to maintain current service levels rather than forcing a reduction in facility usage by cutting back the operating hours. It is unlikely that substantial additional funding can be secured through the countywide program. The Fremont drop-off facility has a much higher usage level and cost than can be provided by the countywide program funding. In addition, countywide HHW program revenue is declining due to the economy and lower volumes of waste that are subject to the HHW fee.

Approximately 75% of the Fremont drop-off users are Fremont residents. Therefore, staff recommends incorporating the \$400,000 of unfunded HHW drop-off expenses into the solid waste disposal and processing costs included in the solid waste collection rates. This would result in an additional cost of \$1.87 per ton in the solid waste disposal rates. Staff also recommends that this per-ton fee be included in Fremont's curbside recycling collection rates as well as on all self-hauled solid waste from the Tri-Cities delivered to the Fremont Transfer Station. This additional cost, which is reflected in the recommended rates, results in an increase of approximately 36 cents per month for the average residential ratepayer.

**DISCUSSION/ANALYSIS:** The solid waste agreements specify the formula that is to be used for calculating the biennial compensation adjustment due to each solid waste service provider. While the specific adjustment formula varies by individual contract, each agreement includes some of the following elements applicable to that service fee: a fixed component that is not adjusted, a variable component subject to a Consumer Price Index (CPI) adjustment, a fuel component subject to an OPIS (Oil Price Information Service) fuel index, recovery of increases in regulatory fees, and a pass-through of disposal costs. In the recycling processing contract, the payment made to the City for delivery of curbside recyclable material is subject to an adjustment based upon a recyclable commodity price index.

The chart below summarizes the various solid waste contracts, the components within each fee, and the contractually required adjustments for 2010/2011. Also detailed are the recommended adjustments for each component.

Summary of Solid Waste Rate Components					
Contract	Service Provider	Component	2010/2011-two year adjustment		
Altamont Landfill Disposal	Waste Management	Fixed Variable Regulatory Fees	None 80% CPI – 3.5% increase Pass-through \$2.49/ton increase		
Tri-Cities Landfill Disposal	Waste Management	Fixed Variable Regulatory Fees	None CPI – 4.4% increase Pass-through \$2.34/ton increase		
Transfer Station- Altamont Disposal	BLT Enterprises	Fixed Variable Fuel Regulatory Fees Landfill Disposal	None CPI – 4.4% increase OPIS Fuel index 2% decrease Pass-through \$.11/ton increase Pass-through of approved landfill disposal rates		
Transfer Station- Tri-Cities Disposal	BLT Enterprises	Fixed Variable Fuel Regulatory Fees Landfill Disposal	None CPI – 4.4% increase OPIS Fuel index 2% decrease Pass-through \$.06/ton increase Pass-through of approved landfill disposal rates adjusted for 12% diversion requirement		
Recycling Processing & Yardwaste Transfer	BLT Enterprises	Yardwaste Transfer - Variable  Recycling Revenue to City	CPI – 4.4% increase  Commodity Price (OBM) Index – 9.6% decrease		
Solid Waste Collection	Allied Waste	Fixed Variable Fuel Disposal (TS/Landfill)	None CPI - 4.4% increase OPIS Fuel index – no change Pass through of TS Rate plus \$1.87/ton HHW disposal fee increase		
		Bond Debt Service Franchise/IWM Fee	Estimated \$.71/ton increase No change from 2008/2009		

*Fixed Costs:* This element of the rate is not adjusted biennially. It remains fixed throughout the contract and pays for start-up costs and capital equipment.

*Consumer Price Index Adjustment*: The CPI adjustment is applicable to the variable component of each fee as identified in each solid waste agreement and is calculated on the change in the All Urban Consumers Index (CPI-U), San Francisco-Oakland-San Jose for the previous 24 months. The CPI-U

went from 216.1 in June 2007 to 225.7 in June 2009, a 4.4% increase. The CPI adjustment is also applied to the various liquidated damage penalties provided for in the contracts.

Fuel Adjustment: The transfer station and solid waste collection contracts provide for an adjustment to the fuel component of the rate based upon the OPIS fuel index. The decrease in the OPIS fuel index was 2.3%. The fuel adjustment for the collection contract is different than the one in the transfer station contract. Fuel taxes are included in the fuel adjustment component for the collection contract while fuel taxes are reflected as a regulatory fee in the transfer station contract.

Transfer and Disposal Costs: The City will begin a phased transition for landfill disposal from the Tri-Cities Landfill to the Altamont landfill beginning in July 2010. The disposal rates for the two landfill facilities vary slightly. The transfer station tip fees for franchise waste also vary depending upon the landfill disposal site used. For rate setting, staff is recommending using a blended average transfer station rate of \$61.81, which takes into account the expected split of waste between the two disposal facilities plus \$1.87 per ton for HHW disposal costs associated with operating the HHW drop-off. The recommended transfer station self-haul rates assume disposal at the Altamont Landfill, since the majority of the waste is expected to be landfilled there during this two-year rate period.

Bond Debt Service Fee: The bond debt service fee is the result of the 1998 settlement between the Tri-Cities Waste Disposal Authority (Fremont, Newark and Union City) and Waste Management regarding landfill closure and post-closure costs and other issues. It resulted in an obligation of \$12.75 million for the Tri-Cities. Payments are funded through refuse rate surcharges levied by each city. This fee is levied on each ton of solid waste disposed. Fremont's bond service obligation for 2010 and 2011 will be approximately \$990,000. The estimated tonnage for that period is 240,000 tons, resulting in a bond fee obligation of approximately \$4.11 per ton. The recommended bond service fee is reflected in the 2010/2011 solid waste collection rates.

Franchise Fee: The franchise fee is paid into the City's General Fund and is used to compensate the public for the value of using the public right-of-way to conduct business. A franchise fee of 10% of residential rates, and 12% of commercial rates was incorporated in the original 1994 Allied Waste/BFI solid waste collection agreement and has been retained in the current agreement. There are no changes to the franchise fee rates reflected in the recommended 2010/2011 solid waste collection rates.

Integrated Waste Management (IWM) Fee: In April 2003, Council established IWM residential fees of 16% (of the residential solid waste rate) and a commercial fee of 13.5% (of the commercial solid waste rate), which were incorporated into the solid waste rates effective January 2004. The purpose of this fee is to fund solid waste management activities performed by the City's Maintenance Division (e.g., litter removal, street sweeping, and debris removal from streets and public areas), in addition to Environmental Service Division activities (e.g., waste diversion and program implementation, and solid waste contract administration). Staff recommends that the IWM fee remain at current levels to continue to provide services like street sweeping, recycling and litter control.

Regulatory Fees: The landfill and transfer station fees include some regulatory fees that are treated as a pass-through expense. The rate calculations include the applicable 2010/2011 regulatory fees, including Measure D and open space fees assessed on tonnage disposed at the Altamont Landfill, the LEA (local enforcement agency) inspection fees assessed on both landfills as well as the transfer station, the

Alameda County Household Hazardous Waste Fee, and the Alameda County Waste Management Authority Facility Fee. Regulatory fee increases reflected in the 2010/2011 rates are identified in the Summary of Solid Waste Rate Components chart above.

It is possible, but not certain, that the LEA inspection fee and/or the open space fee may be increased in early 2010 by the regulatory agencies. These fees are not discretionary and staff has requested authorization to incorporate these additional increases into the landfill and transfer station fees paid to those service providers should they occur. In order to minimize the impact on Fremont ratepayers, staff is recommending against making a mid-cycle adjustment to the solid waste collection rates and would fund these additional regulatory fees with Unallocated Integrated Waste Management Fund Balance. This unallocated fund balance was \$1.8 million as of June 2009.

Recycling Revenue: BLT Enterprises pays the City for its curbside recyclable materials delivered to the facility. This payment was \$16.97 per ton for 2008/2009. The per ton payment is adjusted biennially based upon commodity pricing changes as published by the Official Board Market (OBM) index. The adjusted payment for 2010/2011, based upon the June 2007 – June 2009 OBM index change, is \$15.34 per ton, a decrease of 9.62% for that two year period.

A comparison of the solid waste service fees is provided below:

Contract	Service Provider	2008/2009 Fee	2010/2011 Recommended Fee	% Increase
Altamont Landfill Disposal	Waste Management	\$28.93	\$31.89	10.2%
Tri-Cities Landfill Disposal	Waste Management	\$32.15	\$35.56	10.6%
Transfer Station- Altamont LF Disposal	BLT Enterprises	\$59.11	\$62.66	6.0%
Transfer Station Tri-Cities LF Disposal	BLT Enterprises	\$58.93	\$60.71	3.0%
Recycling Processing & Yardwaste	BLT Enterprises Yardwaste Transfer Fee Recycling payment	\$14.33 \$16.97	\$14.96 \$15.34	4.4% -9.6%
Solid Waste Collection	Allied Waste	See rate schedule below	See rate schedule below	

A comparison of the current and recommended 2010/2011 solid waste collection rates for the most common service categories is provided below. The total percentage increase varies by rate category depending upon the portion of the rate attributable to disposal expense versus CPI or fuel. For this rate setting period, disposal has increased more than CPI. Disposal expense is a larger portion of the overall

commercial rates than in residential rates; thus, commercial rates are increasing by a larger percentage than residential rates.

Service Level	2008/2009	2010/2011	Two year % Increase
Residential -64 gallon (per month)	\$26.35	\$28.16	6.9%
Multi-family (3 cu. yd 2 x per week)	\$309.02	\$333.34	7.9%
Commercial 3 cu. yd. (1 time per week)	\$152.69	\$166.10	8.8%
Commercial 20 cu. yd. uncompacted roll-off (per container serviced)	\$317.22	\$345.27	8.8%
Commercial 40 cu. yd. compactor (per container serviced)	\$1,300.42	\$1,463.02	12.5%

Other Rates: At its June 26, 2007 meeting, the City Council established transfer station host fees of \$8.08/ton on self-haul waste and \$6.87/ton on franchise waste delivered from Union City and Newark. Starting in January 2010, host fees are subject to a CPI adjustment as part of the biennial rate setting process and would increase to \$8.43/ton and \$7.17/ton, respectively. The City Council also established a curbside offset fee which applies to curbside material generated outside of the Tri-Cities and processed at the Fremont Transfer Station. That fee is also subject to a CPI adjustment, effective January 1, 2010, and would increase from \$2.00/ton to \$2.09/ton.

Uncompacted Roll-off Pricing: Allied Waste offers uncompacted commercial roll-off service in a variety of container sizes (providing 6, 10, 14, 20, 30 or 40 cubic yards of volume). Staff has determined that some industrial customers frequently place far more waste material by weight in their roll-off containers than the rates are designed for. This issue has become more pronounced during the last rate setting period and is particularly acute with the 6 yard roll-off boxes. This size box typically averages 6.03 tons of waste material, while the rate structure assumes only 1.2 tons of material. This results in a disposal cost that often greatly exceeds the total revenue Allied Waste receives for servicing the account. While this problem is most pronounced with the smaller boxes, there are customers at every service level who greatly exceed the disposal allowance provided for in the rates. Allied Waste requested the City set disposal weight limits for each box size ranging from 0.6 tons for a 6 yard box – to 4 tons for a 40 yard box. They requested that a per ton excess disposal fee be charged on all waste volume exceeding the maximum disposal weight limit to more accurately account for actual disposal costs.

Staff agrees that an excess disposal fee is appropriate in some circumstances. However, staff believes that the weight maximums proposed by Allied Waste are too low and would impact more customers than necessary, as well as generate an excess of revenue for Allied Waste. Staff is therefore recommending higher maximum weights that would target the heaviest and most problematic loads. The chart below summarizes staff's recommendation on a maximum weight of material that would be included in the base rate for each box size. If a customer exceeds the maximum weight, an excess disposal charge per ton would be applied to each ton exceeding the maximum weight included in the

base rate. Staff is further recommending that the excess disposal charge per ton be equivalent to the disposal rate used for solid waste rate setting for mixed waste loads, or the applicable rate for recyclable loads, plus any applicable regulatory fees. For 2010 and 2011, the per ton excess disposal fee for mixed waste loads would be \$90.99 per ton. The chart below summarizes the number of loads that will likely be impacted and the average expected charge:

	6 yd	10 yd	14 yd	20 yd	30 yd	40 yd	total
maximum weight							
included in base							
rate	4 tons	4 tons	5 tons	5 tons	5 tons	6 tons	
total loads	848	231	1,254	3,075	2,258	2,558	10,224
# loads impacted	723	16	17	306	336	339	1,737
% customers							
impacted	85%	7%	1%	10%	15%	13%	17%
average							
impact/load	\$238.90	\$222.65	\$245.90	\$236.67	\$121.01	\$209.79	
2008/2009 refuse							
rate	\$252.29	\$268.47	\$284.67	\$317.22	\$415.03	\$594.39	
% increase over							
2008/2009 fee	95%	83%	86%	75%	29%	35%	
total additional							
disposal fees	\$128,678	\$ 2,654	\$ 3,114	\$53,953	\$30,291	\$52,983	\$ 271,672

Staff calculates that this would initially generate \$271,673 in additional disposal fees for Allied Waste. Given the expected changes in the customer base, the trend of customers transitioning away from large boxes with light loads and the deduction for regulatory fees that must be remitted to the various agencies, it is anticipated this change will generate minimal additional revenue for Allied Waste over the long term. There are other benefits, however. Setting maximum weights begins to transition the rate matrix from a system where some customers subsidize the disposal expense of other customers and it makes those customers producing the heaviest loads responsible for the disposal expense associated with their waste generation.

#### **ENCLOSURES:**

- Enclosure A Tri-City Recycling and Disposal Facility Rate Resolution
- Enclosure B Altamont Landfill Rate Resolution
- Enclosure C Fremont Recycling and Transfer Station Rate Resolution
- Enclosure D Curbside Recycling Processing and Yardwaste Transfer Rate Resolution
- Enclosure E Allied Waste Solid Waste Collection Rate Resolution

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#### **RECOMMENDATIONS:**

- 1. Adopt a resolution setting disposal fees at the Tri-Cities Recycling and Disposal Facility Landfill effective January 1, 2010, as shown in enclosure A of this report.
- 2. Adopt a resolution setting disposal fees at Altamont Landfill effective January 1, 2010, as shown in enclosure B of this report.
- 3. Adopt a resolution setting service fees at the Fremont Recycling and Transfer Station effective January 1, 2010, as shown in enclosure C of this report.
- 4. Adopt a resolution setting Curbside Recycling Processing payment and Yardwaste Transfer fees at the Fremont Recycling and Transfer Station effective January 1, 2010, as shown in enclosure D of this report.
- 5. Adopt a resolution setting Solid Waste Collection rates effective January 1, 2010, as shown in enclosure E of this report.

- 9.1 Council Referrals None.
- 9.2 Oral Reports on Meetings and Events

#### **ACRONYMS**

ABAGAssociation of Bay Area Governments	FUSD Fremont Unified School District
ACCMAAlameda County Congestion	GIS Geographic Information System
Management Agency	GPA General Plan Amendment
ACE Altamont Commuter Express	HARB Historical Architectural Review Board
ACFCDAlameda County Flood Control District	HBA Home Builders Association
ACTAAlameda County Transportation	HRC Human Relations Commission
Authority	ICMA International City/County Management
ACTIAAlameda County Transportation	Association
Improvement Authority	JPA Joint Powers Authority
ACWDAlameda County Water District	LLMD Lighting and Landscaping Maintenance
BAAQMDBay Area Air Quality Management	District
District	LOCC League of California Cities
BARTBay Area Rapid Transit District	LOS Level of Service
BCDCBay Conservation & Development	MOU Memorandum of Understanding
Commission	MTC Metropolitan Transportation Commission
BMPsBest Management Practices	NEPA National Environmental Policy Act
BMRBelow Market Rate	NLC National League of Cities
CALPERSCalifornia Public Employees' Retirement	NPDES National Pollutant Discharge Elimination
System	System
CBDCentral Business District	NPO Neighborhood Preservation Ordinance
CDDCommunity Development Department	PCPlanning Commission
CC & R'sCovenants, Conditions & Restrictions	PD Planned District
CDBGCommunity Development Block Grant	PUCPublic Utilities Commission
CEQA California Environmental Quality Act	PVAW Private Vehicle Accessway
CERTCommunity Emergency Response Team	PWC Public Works Contract
CIPCapital Improvement Program	RDA Redevelopment Agency
CMACongestion Management Agency	RFP Request for Proposals
CNGCompressed Natural Gas	RFQRequest for Qualifications
COPPS Community Oriented Policing and Public	RHNA Regional Housing Needs Allocation
COPPS Community Oriented Policing and Public	ROP Regional Occupational Program
Safety  CSAC  California State Association of Counties	RRIDRO Residential Rent Increase Dispute Resolution Ordinance
CSAC	
CTCCalifornia Transportation Commission	RWQCB Regional Water Quality Control Board
dBDecibel	SACNET Southern Alameda County Narcotics
DEIRDraft Environmental Impact Report	Enforcement Task Force
DODevelopment Organization	SPAA Site Plan and Architectural Approval
DU/ACDwelling Units per Acre	STIP State Transportation Improvement
EBRPD East Bay Regional Park District	Program
EDAC Economic Development Advisory	TCRDF Tri-Cities Recycling and Disposal Facility
Commission (City)	T&O Transportation and Operations
EIREnvironmental Impact Report (CEQA)	Department
EIS Environmental Impact Statement (NEPA)	TOD Transit Oriented Development
ERAFEducation Revenue Augmentation Fund	TS/MRF Transfer Station/Materials Recovery
EVAWEmergency Vehicle Accessway	Facility
FARFloor Area Ratio	UBC Uniform Building Code
FEMAFederal Emergency Management Agency	USD Union Sanitary District
FFDFremont Fire Department	VTA Santa Clara Valley Transportation
FMCFremont Municipal Code	Authority
FPDFremont Police Department	WMA Waste Management Authority
FRCFamily Resource Center	ZTAZoning Text Amendment

## UPCOMING MEETING AND CHANNEL 27 BROADCAST SCHEDULE

Date	Time	Meeting Type	Location	Cable Channel 27
November 24, 2009		Cancelled		
December 1, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 8, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 15, 2009	TBD	Work Session	Council Chambers	Live
December 15, 2009	7:00 p.m.	Regular City Council Meeting	Council Chambers	Live
December 16, 2009 – January 11, 2010		Council Recess		
January 5, 2010		Cancelled		
January 12, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 19, 2010	TBD	Work Session	Council Chambers	Live
January 26, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 2, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 9, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 16, 2010	TBD	Work Session	Council Chambers	Live
February 23, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 2, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 9, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 16, 2010	TBD	Work Session	Council Chambers	Live
March 23, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 30, 2010 (5 <sup>th</sup> Tuesday)		No City Council Meeting		